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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Burke et al.

Group Art Unit: 2634

Serial No.: 09/100,569

Examiner: S. Liu

Filed: June 19, 1998

Attorney Docket:

Burke 2-1-3-2-13

For: Method And Apparatus For  
Desensitization Of A  
Wireless Receiver

John de la Rosa  
De La Rosa & De La Rosa  
375 Upper Mountain Avenue  
Montclair, NJ 07043

DECLARATION UNDER 37 CFR 1.131

Honorable Commissioner of Patents and Trademarks  
Washington D.C. 20231

We, co-inventors Michael Eugene Burke, Joseph Thaddeus Lipowski, Leonard Edward O'Boyle, Rulon G. VanDyke, and Jack Chi-Chieh Wen, whose application for Letters Patent For "Method and Apparatus For Desensitization Of A Wireless Receiver," Serial No. 09/100,569 was filed June 19, 1998 in the United States Patent and Trademark Office, declare that:

1. At the time the invention as defined in amended claims 1-17 was made, we were employed by Lucent Technologies, Inc., Murray Hill, NJ;
2. Prior to December 23, 1997, we co-authored a description of the invention defining the scope of amended claims 1-17 in a document entitled "Methods and Apparatuses to Implement Desensitization for a Direct Sequence Spread Spectrum CDMA Receiver"

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4. A true copy of the original of the document entitled "Methods and Apparatuses to Implement Desensitization for a Direct Sequence Spread Spectrum CDMA Receiver" is appended hereto and marked as Exhibit A with exhibit pagination appropriately supplied in the center on the bottom of each page of the exhibit;
5. The document entitled "Methods and Apparatuses to Implement Desensitization for a Direct Sequence Spread Spectrum CDMA Receiver" corresponds to a description of a method for desensitizing a CDMA receiver by injecting noise into the receive path so as to bring the noise up to the signal;
6. The method disclosed in this latter document includes a) using a broadband noise source such as noise diode or b) using a CW source for desensitization; or c) using modulated CW source as the noise source;
7. Varying levels of desensitization could be achieved by varying the amount of noise introduced into the receive path so as to accommodate different applications, for example, where the coverage is small or the coverage area is embedded within a larger cell;
8. The method disclosed in the Document entitled "Methods and Apparatuses to Implement Desensitization for a Direct Sequence Spread Spectrum CDMA Receiver" describes the underlying basis and operation of the invention defined in amended claims 1-17 of the present application;

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9. Figures 1-6 of the Document entitled "Methods and Apparatuses to Implement Desensitization for a Direct Sequence Spread Spectrum CDMA Receiver" correspond to original Figures 1-6 of the application, except for the numerals. The figure labeled "Attenuator Modulated Signal Injection" is incorrectly numbered Figure 5, and should have been numbered Figure 6. Also, a portion of the spread spectrum receiver denoted by numerals 35, 45 in the present application is not shown in the Figures of the Document entitled "Methods and Apparatuses to Implement Desensitization for a Direct Sequence Spread Spectrum CDMA Receiver," but is supported by the description thereof;
10. The basis for Figures 7a and 7b of the present application is in the last paragraph of the Document entitled "Methods and Apparatuses to Implement Desensitization for a Direct Sequence Spread Spectrum CDMA Receiver,"
11. Prior to December 23, 1997 and on information and belief, Lucent Technologies' managing attorney Julio A. Garceran, who was responsible for reviewing the Document entitled "Methods and Apparatuses to Implement Desensitization for a Direct Sequence Spread Spectrum CDMA Receiver," prepared a Submission Information Document for the above invention;
12. A true copy of the Submission Information Document is appended hereto, and marked as Exhibit B;

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13. On information and belief, the Submission Information Document is a document prepared in the ordinary course of business by Lucent Technologies;
14. The invention described in the Document entitled "Methods and Apparatuses to Implement Desensitization for a Direct Sequence Spread Spectrum CDMA Receiver" was assigned Invention Disclosure Submission (IDS) No. 113850 for patentability consideration by Lucent Technologies' managing attorney Julio A. Garceran prior to December 23, 1997;
15. The blocked-out portions at the top center of page B-1 ("Status Date", and "Open Date") of the Submission Information Document Exhibit B corresponds to dates prior to December 23, 1997;
16. From a date just prior to December 23, 1997, we the co-inventors diligently worked with Lucent Technologies' managing attorney Julio A. Garceran in preparing a patent application describing the invention disclosed in the Document entitled "Methods and Apparatuses to Implement Desensitization for a Direct Sequence Spread Spectrum CDMA Receiver;"
17. In working with Lucent Technologies' managing attorney Julio A. Garceran, we the named co-inventors reviewed draft versions for the invention and forwarded comments and corrections to the managing attorney;

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18. Less than six months later, and on June 6, 1998 a patent application for the invention entitled "Method and Apparatus For Desensitization Of A Wireless Receiver" was filed with the United States Patent and Trademark Office, receiving U.S. serial no. 09/100,569.
19. In accordance with paragraphs 1 through 17, prior to December 23, 1997 the invention as defined in amended claims 1-17 of the above-identified application was conceived and completed in the United States of America;
20. We declare further that all statements made herein of our knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that all such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 03/13/03

Michael Eugene Burke  
Michael Eugene Burke

Date: 03/13/03

Joseph Thaddeus Lipowski  
Joseph Thaddeus Lipowski

[Signature Page For Michael E. Burke and Joseph T. Lipowski]

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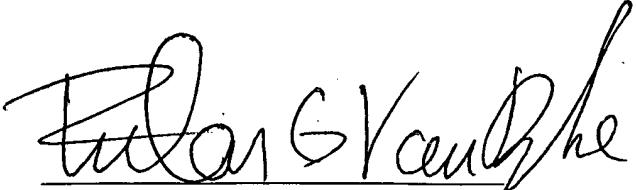
Date: 04/10/03

Leonard Edward O'Boyle  
Leonard Edward O'Boyle

[Signature Page For Leonard E. O'Boyle]

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Date: March 13, 2003

  
Rulon G. VanDyke

[Signature Page For Rulon G. VanDyke]

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Date: March 18, 2003

Jack Chi-Chieh Wen  
Jack Chi-Chieh Wen

[Signature Page For Jack Chi-Chieh Wen]